

AGENDA

**REGULAR MEETING
BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
(502) 875-8500**

**DECEMBER 5, 2002
5:00 P.M. (EST)**

- 1. INVOCATION** Vernon Carpenter, Associate Pastor, Hillcrest Baptist Church
ROLL CALL
MINUTES November 18 Special Meeting & Work Session, November 21 Regular Meeting, November 25 Special Meeting
MAYOR'S REPORT

2. CEREMONIAL ITEMS

- 2.1 Victorian Christmas sponsored by the City of Frankfort Parks and Recreation Department.

Background: Each year the Parks and Recreation Department sponsors the tree lighting ceremony on the St. Clair Mall to highlight the holiday season. The event will be held this year on 12/6/02. Parks and Recreation Director Steve Brooks will make a presentation to the Board on the festive activities planned for this special event.

Attachments: None.

3. ORDINANCES

- 3.1 Second reading of An Ordinance Reducing the Boundaries of the City of Frankfort, Kentucky, by Striking from the Corporate Limits an Approximately 31.4 Acre Tract of Land Lying Along U.S. 421 North from the Northern Boundary of Bellepoint Subdivision to Immediately North of Clifty Drive.

Background: This ordinance was provided first reading on 11/21/02. At the request of the residents of Clifty Drive, the Board of Commissioners enacted an ordinance proposing to reduce the boundaries by striking the approximately 31.4 acre tract of land lying within the corporate limits. The question was submitted by ballot to the qualified voters of the area at the general election held on 11/5/02, and the measure passed, receiving eight (8) yes votes and zero (0) no votes.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-mail: jhackbrt@fewpb.com

4. ORDERS

None.

5. RESOLUTIONS

None.

6. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Commission member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

6.1 Change Order #4 on the Frankfort Research and Office Park Construction Project - Grider Engineering, Inc. (Public Works Department)

Purpose: The purpose of this item is to consider Change Order #4 on the Frankfort Research and Office Park development at Sower Boulevard and the East-West Connector with the General Contractor, H.G. Mays.

Background: During the course of trenching for the underground electric service, H.G. Mays was required to perform additional work beyond the scope of the contract. This work consisted of deeper and wider trenches in several areas, at an additional cost of \$1,299. Also, the Frankfort Electric and Water Plant Board required concrete refill in the electrical trench under the pavement at an additional cost of \$3,000. The cost of this extra work was approved by the Project Engineer, Mr. Joe Grider, and is based on unit prices for concrete refill and trenching that were approved in previous change orders.

The original contract required the contractor to place a final course of asphalt on Flynn Avenue and Burch Court. Due to the anticipated heavy volume of construction traffic on the streets while the new lots are developed, the Project Engineer recommended delaying the final pavement until approximately 50% of the lots are developed. Eliminating the final bituminous course of asphalt from the contract will decrease the contract price by \$17,253.60. The City will include the final paving of Burch Court and Flynn Avenue in a future paving program.

Financial Analysis: Subject to Commission authorization, the net contract price to H.G. Mays will decrease from \$603,956.77 to \$591,002.17.

Recommendation: Approval.

Attachments: Change Order #4 dated 12/5/02.

Contact Person

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6.2 2003 Regular Season and Season Pass Rates Schedule (Juniper Hill Golf Course)

Purpose: The purpose of this item is to consider approving the golf rates schedule for the Juniper Hill Golf Course for the 2003 season.

Background: Golf Pro Gene Hilan will make a presentation to the Board of Commissioners in work session on 12/2/02 regarding the proposed rates structure for the 2003 season. This item

corresponds to the formal adoption of the rates schedule, to be discussed in the work session.

Attachments: (1) 2002 Regular Season and Season Pass Rates.
(2) Suggestions for the 2003 Season.

Contact Person

Name: Gene Hilten
Title: Golf Pro
Department: Golf Course
Phone: (502) 875-8559

6.3 Personnel.

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Effective Date</u>	<u>Other</u>
Appointment	Terry W. Briscoe	Fire	12/9/02	Firefighter/Paramedic
Appointment	Joseph E. Teasley	Fire	12/9/02	Firefighter/EMT
Appointment	Bradley K. Kays	Fire	12/9/02	Firefighter/EMT
Appointment	Brian T. Olds	Fire	12/9/02	Firefighter/EMT
Appointment	James Anglin	Fire	12/9/02	Firefighter/EMT
Appointment	Nathan Wade	Fire	12/9/02	Firefighter/EMT
Retirement	Larry Kelly	Public Works, Street Division	11/29/02	Maintenance Worker position, payment of 314 hours accrued vacation leave
Appointment	Michael Davidson	Police	12/10/02	Patrol Officer

Recommendation: Approval.

Attachments: None.

Contact Person: Brenda Kersey
Title: Personnel Director
Department: City Manager
Phone: 875-8500
E-Mail: Bkersey@fewpb.com

7. BOARD APPOINTMENTS

8. OLD BUSINESS

8.1 Contract Administration and Construction Inspection Services Agreement on the Streetscape Phase 2 Project - Grider Engineering, Inc. (Public Works Department)

Purpose: The purpose of this item is to consider awarding a construction management agreement to Grider Engineering, Inc., not to exceed \$11,974, for the Streetscape Phase 2 Project.

Background: The Board of Commissioners awarded the Streetscape Phase 2 design engineering agreement to Grider Engineering, Inc. on 5/15/01 for \$44,000. Grider Engineering, Inc. completed the construction drawings and the City opened the construction bids on 10/4/02. The construction contract was executed on 11/21/02 with Meyer Midwest, Inc. The project is slated to begin construction on 12/26/02 so that the construction activities would start after the busy holiday season.

Construction monitoring services and preparation of as-built drawings are needed for the Streetscape Phase 2 Project. The Design Engineer, Grider Engineers, Inc. is most familiar with

the plans and is capable of performing these professional services. The construction monitoring services include:

- (1) Measure in-place quantities for payment
- (2) Review and approve shop drawings
- (3) Review contractor's pay requests
- (4) Construction inspection
- (5) Perform field surveying in the preparation of the as-built drawings.

Financial Analysis: The proposed construction monitoring fee of \$11,974 is reasonable for a \$422,030.55 project. The bid award to Meyer Midwest, Inc. of \$422,030.55 and the engineering fees for design (\$44,000) and construction monitoring (\$11,974) with Grider Engineers, Inc. will result in a total project cost of \$478,004.55.

Renaissance & TE Grant Funding	\$285,000
City Funds Budgeted	\$200,000
5% Contingency – Budget Amendment	<u>\$ 25,000</u>
Total Project Budget	\$510,000

City Manager Comments: This agreement provides for a part-time inspector in the field for the non-utility related portions of the construction. The majority of construction for this project will be underground utilities installation, for which an inspector will be provided by the Frankfort Electric and Water Plant Board at their expense.

Recommendation: Approval.

Attachments: Agreement.

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
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NEW BUSINESS

9.1 Change Order #1 on the City Garage Expansion Project – David C. Banks Architects & Associates, P.S.C. (Public Works Department)

Purpose: The purpose of this item is to consider Change Order #1 for the City Garage Expansion Project with the General Contractor, Isaac Tatum Construction, Inc.

Background: Over the past couple of months, several discrepancies were encountered on the construction specifications relating to the City Garage Expansion Project. The Contractor and the Architect determined that the interior columns and footings, as specified, were structurally incomplete. The deficiency would not allow the installation of a hoist that is required for vehicle maintenance activities. In addition, an omission was detected in the construction drawings pertaining to the installation of a foundation drain. On the latter point, emergency authorization was given by the Public Works Director to install the foundation drain to avoid construction delay and potential cost increases.

The Project Manager, David Banks, will be in attendance to provide a full description and justification for the change order items. The Project Manager recommends approving the following items contained

in Change Order #1:

Item 1: Provide additional interior column framing and connections to support the static and dynamic loads of the overhead crane system. The original interior columns specified in the bid package were not designed to carry the loading required by the overhead crane system. On 11/27/02 the General Contractor requested that the additional cost of \$7,384.15 to beef up the interior column be approved so the building package could be ordered. The General Contractor indicated that approval of this item was needed as soon as possible in order to avoid a six-week delay in the delivery of the building package.

Item 2: Furnish and install 6" perforated pipe around the perimeter of the building foundation. Project Manager, David Banks, recommends approval of this item to drain the ground water from the foundation of the building. Item Cost: \$2,587.50

Item 3: The new City Garage expansion requires raising the existing exterior wall of the City Garage 16" in order to match the new roofline. The original design specified using concrete block to raise the wall but due to structural concerns, the Architect recommends using a metal stud wall in order to reduce the weight on the exterior wall. The net cost for this item is \$6,844.80.

Financial Analysis: Subject to Commission authorization, the net price to Isaac Tatum Construction, Inc. will increase from \$529,515 to \$546,331.45. This net increase to the total contract price is within the \$565,000 budgeted for the Project.

Recommendation: Approval.

Attachments: Change Order #1.

Contact Person

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9.2 Participation agreement for a television documentary on the Frankfort Community through the Teaching Learning Network, West Palm Beach, Florida.

Purpose: The purpose of this item is to consider a participation agreement to schedule a television documentary on the Frankfort community for a segment of an episode on the DiscoverAmerica television series during calendar year 2003.

Background: The Teaching Learning Network originally advanced to the Capital Community Economic/Industrial Development Authority the concept of a television documentary on the Frankfort community. Particular interest was expressed in highlighting the quality of life in Frankfort and Central Kentucky, due to the City of Frankfort being rated as third in quality of life for all state capital cities by an independent study. This item was discussed at the Board's work session on 11/18/02 with consensus to research a formal participation agreement with the Teaching Learning Network. Associate Producer Mary Boiton with TLN indicates that a formal commitment from the City of Frankfort would be desired prior to 12/10/02 due to television scheduling purposes. A participation agreement has been forwarded for consideration by the Board on 12/5/02.

The primary issue associated with the participation agreement is the payment of the estimated \$19,500 in local matching requirements for the documentary with TLN. Executive Director Darrell Gilliam from CCEIDA, as referred at the 11/18/02 work session, is coordinating the local

fundraising. A communication from CCEIDA is being provided to the Board for consideration of the proposed agreement. Due to the request for immediate consideration of the participation agreement, the document is pending legal review through the City Solicitor.

Financial Analysis: The Finance Director is recommending that the total matching requirements of \$16,500 be advanced from the contingency account, with the sum of \$8,250 in December and the remaining \$8,250 in February, 2003, subject to reimbursement of all matching requirements except for \$5,000. A remaining sum not to exceed \$3,000 will be required for production crew travel expenses to be borne by local fundraising.

Attachments: (1) Participation Agreement.
(2) Letter from TLN dated 11/14/02.
(3) Letter from CCEIDA dated 11/26/02.

Recommendation: Approval, subject to legal review.

Contact Person

Name	Robert Elliott	Darrell Gilliam
Title:	City Manager	Executive Director
Department:	City Manager	CCEIDA
Phone:	(502) 875-8500	(502) 226-5611

9.2 Development Standards and Requirements for the Frankfort Research & Office Park - Lots 3; 5A, 5B, 5C, 5D, & 5E. (Department of Planning and Building Codes)

Purpose: The purpose of this item is to 1) to ensure adequate and reasonable development of the Research and Office Park; 2) to develop the Frankfort Research and Office Park with a park-like character; 3) to ensure proper, desirable use and appropriate development and improvement of each site; 4) to protect the owners of buildings against improper and undesirable use of surrounding building sites that will depreciate the value of their properties; 5) to guard against the erecting of structures built of improper or unsuitable materials; 6) to encourage the erection of attractive improvements, with appropriate locations on building sites; 7) to ensure and maintain proper setbacks from streets and adequate open spaces between structures which will insure a park-like character; and 8) in general, to provide for a higher design and quality of improvement of said property.

Background: On 6/18/02, the Board of Commissioners approved Development Standards and Requirements (deeded covenants) and Authorization to execute a deed for Lot 2B-4 in Frankfort Research & Office Park.

On 8/8/02, the Board of Commissioners approved an amendment to the Development Standards and Requirements for Lot 2B-4 and included the same requirements/covenants for the abutting Lots 2B-1, 2B-2, & 2B-3.

The proposed Development Standards and Requirements (deed covenants) and the currently adopted covenants are being forwarded to the Board. Again, these covenants are for the remaining City-owned property at the Frankfort Research and Office Park.

By adopting covenants for all remaining lots, consistent and compatible with the existing covenants, should ensure the City's intent for the quality development of these lots.

Recommendation: Approval.

Attachments: (1) Draft development standards & requirements dated 11/25/02.
(2) Development standards & requirements dated 8/8/02.

Contact Person
Name: Gary Muller
Title: Director
Department: Planning and Building Codes
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10. CITIZEN COMMENTS (Non-agenda items)

11. COMMISSIONER COMMENTS

12. CLOSED SESSION KRS 61.810 (1), (b) property

13. ADJOURNMENT